GOVERNMENT OF INDIA
LABOUR AND EMPLOYMENT
LOK SABHA

UNSTARRED QUESTION NO:3664
ANSWERED ON:21.12.2015
Employment on Contractual Basis
Chaudhary Shri P.P.;Chowdhury Shri Adhir Ranjan;Khadse Smt. Raksha Nikhil;Mishra Shri Bhairon Prasad;Ram Shri Vishnu Dayal;Shekhawat Shri Gajendra Singh;Simha Shri Prathap;Sonkar Shri Vinod Kumar;Udasi Shri Shivkumar Chanabasappa

Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a)the number of contract and casual workers working in the Central Government, Public Sector Undertakings during each of the last three years and the current year, separately, State/UT-wise;
(b)whether organized enterprise employers are increasingly hiring workers on contractual terms due to labour laws and other concerns and if so, the details in this regard along with Government"s stand on employment on contractual basis;
(c)the details of minimum wages paid to them including the steps taken by the Government to provide "equal pay for equal work" to such contract and casual workers on the pattern of regular ones;
(d)the mechanism put in place to ensure payment of minimum wages to the contract and casual workers through the labour contractors; and
(e)whether the Government has formulated any policy for safeguarding the interest of contractual/casual workers in term of wages and other service conditions and also with regard to social security scheme including regularisation and improvement of working conditions and if so, the details thereof and if not, the reasons therefor?

Answer

MINISTER OF STATE (IC) FOR LABOUR AND EMPLOYMENT
(SHRI BANDARU DATTATREYA)

(a) & (b): The number of contract workers engaged on the basis of license issued under Contract Labour(Regulation & Abolition) Act, 1970 in the Central Sphere during the last 3 years is given below:
Contd..2/-

Year	No. of Licensed Contractor	No. of Contract Labour*
2012-13	33484	1804389
2013-14	36790	1967747
2014-15	41183	1903170

*State/UT wise figures are not available.

The number of casual workers working in the Central Government and the establishments thereunder is not centrally maintained. They are engaged by the establishments based on their individual requirements.

(c): Contract and Casual workers engaged in Central Government Offices have the protection of minimum wages fixed under the Minimum Wages Act, 1948. For "equal pay for equal work", the provision exists under Rule 25(2)(v)(a) of Contract Labour (Regulation & Abolition) Act, 1970. It stipulates that the contract workers performing the same or similar kind of work as the regular employee of the establishment the wage rates, holidays, hours of work and other conditions of service of the contract workers will be the same as applicable to the regular employee of the establishment performing the same or similar kind of work. Whenever any case comes, Deputy Chief Labour Commissioner (Central) is an authority under Rule 25 (2)(v)(a) to decide the matter.

As regards the casual workers, in places where the nature of work entrusted to the casual workers and regular employees is the same, the casual workers is to be paid at the rate of 1/30th of the pay at the minimum of the relevant pay scale plus dearness allowance for work of 8 hours a day. In cases where the work done by a casual worker is different from the work done by a regular employee, the casual worker is to be paid only the minimum wages notified by the Central Government or the State Government/Union Territory Administration, whichever is higher, as per the Minimum Wages Act, 1948. However, if a Department was already paying daily wages at a higher rate as on 7th June, 1988, the practice could be continued with the approval of its Financial Advisor.

(d) & (e): Strict monitoring of payment is done by conducting regular inspections and whenever there is a delay or non-payment of wages, claim cases are filed before the respective Regional Labour Commissioner (Central) who is an authority under the Act to decide the claims.

Contd..3/-

Though there is no social security scheme as such to ensure regularisation of workers working on contract or casual basis in the Central Government, Public Sector Undertakings, the workers avail social security and other benefits of the Employees' Compensation Act (1923), the Industrial Dispute Act (1947), the Employees' State Insurance Act (1948), the Minimum Wages Act (1948), The Provident Funds Act (1925), the Employees Provident Fund and Miscellaneous Provisions Act (1952), the Maternity Benefit Act (1961), the Contract Labour Act (1970), the Payment of Gratuity Act (1972), etc.

****